



Department of Defense

DIRECTIVE

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NUMBER 4500.53

USD(A)

SUBJECT: Commercial Passenger Airlift Management and Quality Control

- References:
- (a) Title 10, United States Code, Section 2640, Chapter 137 (as amended by Public Law 99-661, FY 1987 National Defense Authorization Act, November 14, 1986)
 - (b) DoD Directive 5160.2, "Single Manager Assignment for Airlift Service," October 17, 1973
 - (c) DoD Directive 5160.53, "Single Manager Assignment for Military Traffic, Land Transportation and Common-User Ocean Terminals," March 24, 1967

A. PURPOSE

This Directive is issued under Section 2640 of reference (a). It establishes responsibilities and procedures for monitoring and reviewing commercial air carriers providing passenger airlift services to the Department of Defense by prescribing a system of management, analysis, inspection, and review of air carrier safety, quality standards, and practices.

B. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Organization of the Joint Chiefs of Staff (OJCS), the Unified and Specified Commands, the Inspector General of the Department of Defense (IG, DoD), and the Defense Agencies (hereafter referred to collectively as "DoD Components").

C. DEFINITION

Procured Commercial Air Transportation. Air transportation services acquired either pursuant to a contract awarded in accordance with Chapter 137 of reference (a), under agreements for which payment is made under Government Transportation Requests, or purchased by individuals in connection with official business for which Government reimbursement will be made in whole or in part.

D. POLICY

1. The Department of Defense, in procuring commercial passenger air transportation services for the directed movement of its personnel, is responsible for the safe travel of those personnel selected for such movement. As such, the airlift review organizational structure and process established by this Directive shall monitor incidents, trends, and other factors affecting air passenger safety and quality. As part of this process, a Joint Transportation Operating Agency (TOA) Commercial Airlift Review Board shall be convened

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following any fatal accident or other serious incident involving a commercial air carrier providing passenger airlift service to the Department of Defense.

2. It is DoD policy that commercial passenger air transportation services procured by the Department of Defense be obtained from air carriers approved by the U.S. Army Military Traffic Management Command (MTMC) or the U.S. Air Force Military Airlift Command (MAC). The air carriers must have at least 12 months of experience operating services in air transportation that are substantially equivalent to the service sought by the Department of Defense. These carriers shall comply with all applicable Federal Aviation Administration (FAA)-established airworthiness and air safety requirements and meet the standards established by the Department of Defense. Air carriers failing to meet these standards shall not be eligible for DoD business. These requirements do not apply to individually ticketed official passengers traveling on foreign flag air carriers, when such travel meets the requirements of joint travel regulations.

3. In addition, it is the Department's policy that these requirements shall also apply to charter airlift or group travel arranged by the Military Service Academies, foreign military sales nonappropriated fund instrumentalities, and to transportation arranged for DoD personnel by other DoD and non-DoD activities, such as the Corps of Engineers and the Multinational Force and Observers. These requirements do not apply to individually procured discretionary travel, such as that associated with military leave or pass.

4. It is the Department's policy under 10 U.S.C. 2640 (reference (a)) that the senior officer on board a DoD-chartered aircraft may order members of the Armed Forces to leave a chartered aircraft when, in the absence of a representative of the MAC or the MTMC, that officer determines a condition exists on the aircraft that may endanger the safety of the members.

E. RESPONSIBILITIES

1. The Under Secretary of Defense (Acquisition) (USD(A)) shall:

a. Be responsible for oversight of the commercial passenger airlift management and quality control program as provided for in this Directive.

b. Provide policy guidance and direction for a multilevel analysis, review, and decision process as set out in this Directive that will ensure the highest standards of safety and quality of the commercial passenger airlift procured by the Department of Defense. The four levels of that process (from lowest to highest) are:

- (1) DoD Air Carrier Survey and Analysis Office.
- (2) Joint TOA Commercial Airlift Review Board.
- (3) Commanders, MTMC and MAC.
- (4) DoD Commercial Airlift Review Authority.

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c. Constitute a DoD Commercial Airlift Review Authority (hereafter referred to as the Authority) composed of flag/general officers, or equivalent level civilian representatives from OSD, the Military Departments, and OJCS (as described in subsection F.4., below).

2. The Commander, MAC, as the Executive Director of the Single Manager Operating Agency for Airlift Service, in accordance with DoD Directive 5160.2 (reference (b)), shall:

a. Establish safety standards and criteria for commercial passenger airlift service used by the Department of Defense. These include established FAA airworthiness and air safety standards along with unique military requirements.

b. Establish a DoD Air Carrier Survey and Analysis Office.

c. Develop and provide guidance and direction for the organization, functions, operating procedures, and external interface (with other DoD and Federal Agencies) of the DoD Air Carrier Survey and Analysis Office.

d. Develop and prescribe regulations for the technical safety evaluation, on-site capability survey, performance evaluation, preflight safety inspection, and operational check rides of air carriers and aircraft used by the Department of Defense as specified by 10 U.S.C. 2640 (reference (a)).

e. Schedule and conduct capability surveys, safety inspections, and reviews of commercial airlift used by the Department of Defense. Inform the Commander, MTMC, of applicable schedules; afford MTMC representatives the opportunity to accompany and observe surveys and inspections; and apprise MTMC of results.

3. The Commander, MTMC, as the Executive Director of the Single Manager Operating Agency for Traffic Management, Land Transportation, and Common-User Ocean Terminals, in accordance with DoD Directive 5160.53 (reference (c)), jointly with the Commander, MAC, shall:

a. Establish the Joint TOA Commercial Airlift Review Board and provide policy guidance and direction for its operation.

(1) Specify Board membership requirements.

(2) Develop operating protocols, procedures, and technical criteria for evaluating air carrier performance and rendering decisions by the Board regarding action(s) to be taken in accordance with this Directive.

b. Develop in accordance with 10 U.S.C. 2640 (reference (a)) uniform procedures and contract/agreement provisions specifying the actions that may be taken by the Department of Defense (including but not limited to warning, show cause and cure notice, placement in nonuse status, suspension, or disqualification) against carriers who violate established FAA or DoD air safety standards. Additionally, specify procedures to be followed in matters concerning commercial passenger air safety and quality, such as guidance for senior officer (passenger) determination of nonuse of charter aircraft in extenuating circumstances. These procedures shall provide for notice to the air carrier and an opportunity to

present evidence in rebuttal before the Board. Also, prescribe criteria for determining the propriety of reinstatement of a carrier, where applicable. These provisions and criteria shall be subject to approval by the Under Secretary of Defense (Acquisition) (USD(A)).

c. Provide joint staffing for the DoD Air Carrier Survey and Analysis Office.

d. Act as executive agents for the standardization and publication of forms used in commercial passenger airlift management and quality control.

4. The DoD Components shall:

a. Develop procedures for the reporting of any passenger airlift safety concerns to the DoD Air Carrier Survey and Analysis Office.

b. Comply with the decisions of the commercial airlift review process established by this Directive.

F. PROCEDURES

The commercial passenger airlift and analysis process consists of four levels of authority. The procedures governing each of these four levels are provided below:

1. The DoD Air Carrier Survey and Analysis Office. This office shall:

a. Develop procedures to ensure the sharing of information with the Department of Transportation (DoT) and the FAA as required by 10 U.S.C. 2640 (reference (a)).

b. Function as the central office for technical safety evaluation, survey, data collection and analysis relative to commercial air carriers providing passenger airlift service to the Department of Defense, and as the secretariat for the Joint TOA Commercial Airlift Review Board.

c. Establish, maintain, and analyze a flow of safety, airworthiness, and other pertinent information from the FAA, the National Transportation Safety Board, DoD Component airlift customers, the TOAs, and other appropriate agencies and sources, including those in commercial industry.

d. Develop the technical criteria necessary to determine compliance with air safety requirements.

e. Monitor air carrier financial condition, operations, maintenance, safety, airworthiness, and other pertinent indicators; conduct accident, incident, reliability and other analyses required to determine airworthiness and air safety.

f. Establish guidelines for determining whether a single incident, multiple incidents, trends, or other indications of conditions affecting air safety and quality warrants referral to the Joint TOA Commercial Airlift Review Board.

g. Serve as the principal action office for referring matters to the Joint TOA Commercial Airlift Review Board on air safety and airworthiness issues requiring its consideration.

h. Provide information to the Joint TOA Commercial Airlift Review Board and DoD Components, as necessary, or upon request, based on analysis of collected data.

2. The Joint TOA Commercial Airlift Review Board. The following criteria apply to this board:

a. The Joint TOA Commercial Airlift Review Board (hereafter referred to as the Board) shall review information received from the DoD Air Carrier Survey and Analysis Office and from other authorities, and shall make decisions or recommendations as to actions against carriers who violate FAA or DoD standards, as appropriate, regarding warning, show cause and cure notice, nonuse, suspension, disqualification, reinstatement or other actions pursuant to contracts/agreements with carriers providing DoD passenger airlift service, in accordance with procedures developed pursuant to paragraph E.3.b., above, of this Directive. Decisions of the Board shall be final. Where the Board does not reach a decision, the matter shall be referred to the Commanders of the MAC and the MTMC, in accordance with subsection F.3., below.

b. The Board shall be jointly chaired by a MTMC and a MAC flag/general officer or equivalent level civilian representative.

c. The Board shall have an equal number of representatives from the MTMC and the MAC with voting membership equally divided between the MTMC and the MAC.

d. The Board shall convene, as soon as possible, but not later than 72 hours after being notified by either of the Chairs. In the event of a fatal accident, the Board shall make an immediate decision or recommendation as to whether action should be taken against the air carrier whose aircraft was involved in the fatal accident.

3. The Commanders, MAC and MTMC, shall:

a. Jointly execute responsibilities regarding the safety and quality of carriers providing passenger airlift transportation support to the Department of Defense by:

(1) Making decisions concerning actions on carrier matters recommended and referred by the Board based upon written record; or

(2) Referring to the DoD Commercial Airlift Review Authority for decision on any actions when agreement cannot be reached and in other instances, as appropriate.

b. Take independent corrective action when a carrier is used exclusively by either MAC or MTMC. These corrective actions may deal only with standards of service issues and not with safety or airworthiness that must be referred to the Board. When an air carrier is used by both MAC and MTMC and the carrier's performance fails to meet service standards, MAC or MTMC may take unilateral

action in accordance with applicable contracts/agreements, but only in those circumstances where no issue of safety or airworthiness may be involved. In each instance, the DoD Air Carrier Survey and Analysis Office shall be informed of any independent action taken.

4. The DoD Commercial Airlift Review Authority (Authority) shall:

a. Serve as an advisory body to the Secretary of Defense, the Deputy Secretary of Defense, the USD(A), and other senior leaders of the Department of Defense regarding passenger airlift provided to the Department by commercial air carriers.

b. Render recommendations or decisions, as appropriate, regarding actions referred by the Commanders of MAC and MTMC involving air passenger safety matters.

c. Make recommendations to the Secretary of Defense on waivers to the provisions of this Directive in emergency situations.

d. The Authority shall consist of the following persons:

CHAIR

(1) Deputy Assistant Secretary of Defense (Logistics)

MEMBERS

(2) Deputy Assistant Secretary of Defense (Family Support, Education, and Safety)

(3) Deputy Assistant Secretary of the Army (Logistics)

(4) Deputy Assistant Secretary of the Air Force (Logistics)

(5) Deputy Assistant Secretary of the Air Force for Acquisition Management

(6) Director of Transportation Policy, OSD

(7) Director for Transportation, Energy and Troop Support, Deputy Chief of Staff, Logistics, U.S. Army

(8) Director, Materiel Division, Deputy Chief of Naval Operations (Logistics), U.S. Navy

(9) Director of Transportation, Deputy Chief of Staff for Logistics and Engineering, U.S. Air Force

(10) Director, Facilities and Services Division, Deputy Chief of Staff for Installations and Logistics, U.S. Marine Corps

(11) Deputy Director for Strategic Mobility, OJCS/J4-SMD

NOTE: The Chair or any member may be represented by a designated alternate.


e. All decisions shall be reached through majority vote of the Authority.

G. RESOURCES

Military Departments shall provide the necessary manpower, resources, facilities, and funding support to comply with this Directive.

H. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. Forward one copy of implementing documents to Under Secretary of Defense (Acquisition) within 120 days.



William H. Taft, IV
Deputy Secretary of Defense